Exhibit 17

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

HUNTAIR, INC.,	)	Civil Action No. 07 C 6890
	)	
Plaintiff,	)	The Honorable David H. Coar
	)	
v.	)	Magistrate Judge Morton Denlow
	)	
CLIMATECRAFT, INC.,	)	
	)	
Defendant.	)	

CLIMATECRAFT, INC.'S PROPOSED TERMS FOR CONSTRUCTION IN THE FORM OF JURY INSTRUCTIONS

As directed by the Court, Defendant and Counterclaimant, ClimateCraft, Inc. ("ClimateCraft"), submits the following terms for construction in the form of jury instructions. The parties exchanged initial proposed constructions (Exhibits A and B) and extrinsic evidence in support of their respective claim constructions (including expert reports (Exhibits C and D)). The parties have a pending motion to extend the discovery period which will be heard on Wednesday[1]; ClimateCraft believes claim construction will greatly advance the merits of this case and it is working diligently to advance the matter.

Some of the terms in the patent claims are not amendable to construction because they are indefinite under 35 U.S.C. § 112 ¶ 2. Terms including "substantially peak efficiency," "reduced efficiency," "strategically," "peak efficiency operating range," "a control system for operating said plurality of fan units at substantially peak efficiency," "acoustically absorptive insulation surface," "an array controller for controlling said at least six [plurality of] fan units to run at substantially peak efficiency by strategically turning selective ones of said at least six

[1] Indeed, the parties believe the Court did not intend this document to be filed, but rather served. However, the Scheduling Order says "file," so in an abundance of caution, the parties agreed they would file their respective contentions so the Court can determine the progress being made on the issues presented by claim construction.

[plurality of] fan units on and off," "a control system for operating said plurality of fan units at substantially peak efficiency by strategically turning on and off selective ones of said plurality of fan units," "a control system for controlling said plurality of fan units, said control system allowing control of the speed of the fan units in said plurality of fan units such that they run at substantially peak efficiency," and "a control system for controlling the speed of the fan units in said plurality of fan units such that they run at substantially peak efficiency" are indefinite.

For some of these terms, a proposed jury instruction is offered in the alternative, in the event the Court does not find the term indefinite. ClimateCraft offers the following, proposed jury instructions:

"fan array" – three or more fan units positioned to work together in parallel

"array controller" – "an automated system to control a fan array which receives input information, determines the output information to achieve a desired objective, and produces the required output information to achieve the desired objective"

"programmable array controller" - an array controller that can be programmed to provide an automatic control mechanism operating an array to achieve a desired result

"control system" – "an automated system which receives input information, determines the output information necessary to achieve a desired objective, and produces the required output information to achieve the desired objective"

"air handling compartment" – a portion of an air handler or air handling system

"air handler" or "air handling system" - a system having components designed to work together to condition air as part of the primary system for ventilation of structures

"peak efficiency" – the maximum achievable static efficiency for a fan unit

"airway path" - the combined discharge plenum and inlet plenum

"fan array configuration" - the pattern created by the fan units in a fan array

"fan unit chamber" - a housing containing a fan unit

"air relief passage therebelow" - space provided below a fan unit within a fan unit chamber

"grid system" - system providing a framework for installation of fan units

"fan wheel diameter" – the distance from one side of the outer periphery of a fan wheel to the opposite side of the outer periphery of the fan wheel

"backdraft dampeners" - apparatus that blocks airflow through a fan unit when the fan unit is turned off to prevent reverse air flow through that fan unit

"an array controller for controlling said at least six fan units to run at substantially peak efficiency by strategically turning selective ones of said at least six fan units on and off" – for use with at least six fan units, an array controller that (a) receives input information regarding the system air flow requirements, (b) determines the output information necessary, i.e. which fans to turn on and off, and when, to achieve "substantially" peak efficiency of the fan units, and (c) produces that output information (i.e. send a signal to turn individual fans on and off) so that the fan units run at "substantially" peak efficiency.

"an array controller for controlling said plurality of fan units to run at substantially peak efficiency by strategically turning selective ones of said plurality of fan units on and off" - for use with a plurality of fan units, an array controller that (a) receives input information regarding the system air flow requirements, (b) determines the output information necessary, i.e. which fans to turn on and off, and when, to achieve "substantially" peak efficiency of the fan units, and (c) produces that output information (i.e. sends a signal to turn individual fans on and off) so that the fan units run at "substantially" peak efficiency

"a control system for operating said plurality of fan units at substantially peak efficiency by strategically turning on and off selective ones of said plurality of fan units" – a control system that (a) receives input information regarding the system air flow requirements, (b) determines the output information necessary, i.e. which fans to turn on and off, and when, to achieve "substantially" peak efficiency of the fan units, and (c) produces that output information (i.e. sends a signal to turn individual fans on and off) so that the fan units run at "substantially" peak efficiency.

"a control system for controlling said plurality of fan units, said control system allowing control of the speed of the fan units in said plurality of fan units such that they run at substantially peak efficiency" – a control system that makes possible control of the fan units by (a) receiving input information regarding the system air flow requirements, (b) determining the output information necessary, i.e. which fans to speed or slow relative to the others, and when, to achieve "substantially" peak efficiency of the fan units, and (c) producing that output information (i.e. sends a signal to speed or slow individual fans) so that the fan units run at "substantially" peak efficiency.

"a control system for controlling the speed of the fan units in said plurality of fan units such that they run at substantially peak efficiency" – a control system that (a) receives input information regarding the system air flow requirements, (b) determines the output information necessary, i.e. which fans to speed or slow relative to the others, and when, to achieve "substantially" peak efficiency of the fan units, and (c) produces that output information (i.e. sends a signal to speed or slow individual fans) so that the fan units run at "substantially" peak efficiency.

Should Huntair propose additional terms for construction that it did not disclose in its initial contentions or in its expert's report (Exhibits A and C), ClimateCraft reserves the right to offer proposed jury instructions and contentions to the Court regarding those claim terms, as necessary.

Respectfully submitted,

Dated: June 20, 2008

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **CLIMATECRAFT'S PROPOSED TERMS FOR CONSTRUCTION IN THE FORM OF JURY INSTRUCTIONS** was served by ECF upon:

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this 20th day of June, 2008.

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